



Entered on Docket
March 12, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SIXTEENTH
OMNIBUS OBJECTION OF THE
USACM LIQUIDATING TRUST TO
CLAIMS FOR LACK OF
DOCUMENTATION**

Date: February 21, 2008
Time: 9:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

8 • Sustaining the USACM Trust’s Sixteenth Omnibus Objection to Claims for
9 Lack of Documentation; and

10 • Disallowing the Proofs of Claim listed on the attached Exhibit A without
11 prejudice to any rights the claimants listed in Exhibit A may have as Direct Lenders in a
12 particular loan.

14 PREPARED AND SUBMITTED:

6 By: /s/ RC (#0006593)
7 Susan M. Freeman
8 Rob Charles
9 John Hinderaker
10 *Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

USACM Liquidating Trust ORDER SUSTAINING SIXTEENTH OMNIBUS OBJECTION OF THE USACM LIQUIDATING TRUST TO PROOFS OF CLAIM FOR LACK OF DOCUMENTATION BK-S-06-10725-LBR			
<u>Creditor Name</u>	<u>Claim No.</u>	<u>Date Filed.</u>	<u>Amount</u>
David M. & Marcy P. Edwards Family Trust c/o David M. & Marcy P. Edwards, Trustees 9528 Yucca Blossom Drive Las Vegas, Nevada 89134	10725-02531	6/7/07	\$50,000.00
Kreykes, Ronald & Linda 4928 Wind Hill Court W Fort Worth, Texas 76179-6410	10725-02554	6/18/07	Amount Not Stated
Joseph Mele 16882 Rose Apple Drive Delray, Florida 33445	10725-01348	11/13/06	\$107,200.00
Eric and Cassie Lester 500 West Goldfield Avenue Yerington, Nevada 89447-3317 and Zachariah Larson, Esq. Larson & Stephens 810 S.Casino Center Blvd., Suite 104 Las Vegas, Nevada 89101	10725-01434	11/14/06	\$2,558,685.81
Eric and Cassie Lester 500 West Goldfield Avenue Yerington, Nevada 89447-3317 and Zachariah Larson, Esq. Larson & Stephens 810 S.Casino Center Blvd., Suite 104 Las Vegas, Nevada 89101	10725-01436	11/14/06	\$2,558,685.81

EXHIBIT A

USACM Liquidating Trust ORDER SUSTAINING SIXTEENTH OMNIBUS OBJECTION OF THE USACM LIQUIDATING TRUST TO PROOFS OF CLAIM FOR LACK OF DOCUMENTATION BK-S-06-10725-LBR			
<u>Creditor Name</u>	<u>Claim No.</u>	<u>Date Filed.</u>	<u>Amount</u>
Ronald G. Gardner c/o Jeffrey L. Hartman, Esq. 510 West Plumb Lane Suite B Reno, Nevada 89509	10725-01321	11/10/06	Amount Not Stated
Ronald G. Gardner c/o Jeffrey L. Hartman, Esq. 510 West Plumb Lane Suite B Reno, Nevada 89509	10725-01324	11/10/06	Amount Not Stated

EXHIBIT A